



NEWS RELEASE
*Office of the
United States Attorney
for the
District of Nebraska*
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United States Attorney Deborah R. Gilg announced the federal Grand Jury for the District of Nebraska has returned 16 indictments charging 17 defendants. Indictments are charging documents that contain one or more individual counts that are merely accusations, and every defendant is presumed innocent unless and until proven guilty. If you need additional information on any of the following indictments, please telephone Deborah R. Gilg, or in her absence, Criminal Chief, Jan Sharp, at (402) 661-3700.

- * **Martin Alvarez-Lopez**, age 34, of Omaha, is charged with illegal reentry into the United States on or before January 26, 2010, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment.
- * **Edward J. Bakhit**, age 44, and **Jumana N. Bakhit**, age 33, both of Bennington, are charged in a 19-count indictment. Count I of the indictment charges Edward J. Bakhit (E. Bakhit) and Jumana N. Bakhit (J. Bakhit) with conspiracy. The maximum possible penalty includes imprisonment for 5 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment. Count II of the indictment alleges that from on or about April 20, 2008, to on or about April 30, 2009, E. Bakhit and J. Bakhit defrauded Centris

Federal Credit Union (CFCU) by providing false employment and income information to receive automobile loans and credit cards. The maximum possible penalty includes imprisonment for 30 years, a \$1,000,000 fine, 5 years of supervised release, and a \$100 special assessment.

Counts III and IV of the indictment charge E. Bakhit and J. Bakhit with wire fraud. In Count III on or about February 21, 2008, E. Bakhit and J. Bakhit transmitted an electronic mail communication from Baxter Chrysler in Omaha, Nebraska, to Chrysler Financial in Farmington Hills, Michigan. In Count IV on or about March 26, 2009, it is alleged E. Bakhit and J. Bakhit transmitted an electronic mail communication from Courtesy Motors Acceptance Corporation (CMAC) in Omaha, Nebraska, to Credco in Poway, California. The maximum possible penalty for each count of wire fraud includes imprisonment for 20 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

Counts V through XI of the indictment charge E. Bakhit and J. Bakhit (J. Bakhit was not charged in Count X) with various incidents of providing false statements to a federally insured bank or credit union in order to acquire a credit card or loan. These false statements were made to Plains Commerce Bank, headquartered in Sioux Falls, South Dakota, on or about January 10, 2008; First Premier Bank, headquartered in Sioux Falls, South Dakota, on or about January 12, 2008; HSBC Bank Nevada, N.A., Las Vegas, Nevada, on or about March 14, 2008; Centris Federal Credit Union, Omaha, Nebraska, on or about April 21, 2008, on or about May 6, 2008, and on or about May 12, 2008; and MetaBank, headquartered in Sioux Falls, South Dakota, on or about December

20, 2008. The maximum possible penalty for each of these counts includes imprisonment for 30 years, a \$1,000,000 fine, 5 years of supervised release, and a \$100 special assessment.

Counts XII through XIX of the indictment charge E. Bakhit and J. Bakhit (J. Bakhit is not charged in Counts XVII and XVIII) with aggravated identity theft by providing a false name and social security number to influence Federally Insured Banks or Credit Unions. The penalty for these counts includes mandatory imprisonment for 2 years consecutive to any other term of imprisonment imposed, a \$250,000 fine, 3 years of supervised release and a \$100 special assessment.

- * **Ronald D. Banse, Jr.**, age 26, of Ralston, Nebraska, is charged with possession of a stolen firearm on or about April 24, 2009. The maximum possible penalty includes imprisonment for 10 years, a fine of \$250,000, a term of supervised release of 5 years, and a \$100 special assessment.
- * **Antonio Castaneda-Lopez**, age 52, is charged with illegal reentry into the United States on or about November 9, 2009, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.
- * **Brandon Lawrence Cotton**, age 26, of Omaha, is charged with being a felon in possession of a firearm on or about November 12, 2009. Cotton was convicted in 2007 of possession of crack cocaine. The maximum penalty for this count includes

imprisonment of 10 years, a fine of \$250,000, a 3 year term of supervised release, and a special assessment of \$100.

- * **Edward G. Davis**, age 18, of Omaha, is charged with possession of a stolen firearm on or about December 19, 2009. The maximum possible penalty includes imprisonment for 10 years, a fine of \$250,000, a term of supervised release of 5 years, and a \$100 special assessment.
- * **Eboni Hill**, age 27, of Omaha, is charged in a two count indictment. Count I alleges that on or about January 13, 2010, the defendant possessed with intent to distribute 5 grams or more of a mixture or substance containing a detectable amount of crack cocaine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges that on or about January 21, 2010, the defendant possessed with intent to distribute a mixture or substance containing a detectable amount of crack cocaine. The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment.
- * **Ryan M. Jindra**, age 34, of Omaha, is charged in a four-count indictment. It is alleged that from on or about July 15, 2008, and continuing until on or about July 2, 2009, Jindra, President and Chief Executive Officer of Envision Investment Advisors, LLC, (EIA), and Chief Executive Officer of Envision Financial Group, Inc., (EFG), executed a scheme to defraud investors and clients. In part, the essence of the scheme to defraud was that Jindra made false representations to clients in order to solicit funds on behalf of EIA and EFG. Jindra would also cause the unauthorized withdrawal of funds from client accounts

being managed by EIA. Funds withdrawn in this manner were transferred to other EIA or EFG accounts or to Jindra's own personal accounts for use in paying expenses not associated with the management of client funds. It is alleged in Counts I and II that on October 14, 2008, Jindra, in two separate incidents, withdrew \$50,000.00 from two accounts in Omaha, Nebraska, and used wire communications to execute the schemes to defraud in Dallas, Texas. The maximum possible penalty for each count includes imprisonment of 20 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

Counts III and IV of the indictment charge Jindra with mail fraud on or about April 23, 2009, and on or about October 14, 2008. It is alleged Jindra utilized private or commercial interstate carriers to execute the scheme to take money under false pretenses. The maximum possible penalty for these counts include imprisonment of 20 years, a \$250,000 fine, 3 years of supervised release, and a \$100 special assessment.

- * **Artjom Victor Kolpakov**, age 18, of Lincoln, is charged with driving under the influence of alcohol on Offutt Air Force Base on December 20, 2009, and causing serious bodily injury to his passenger. The penalty for this charge includes imprisonment of not less than one year and not more than five years, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment.
- * **Gregorio Mosqueda-Herrera**, age 45, is charged with illegal reentry into the United States on or about January 28, 2010, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment

of 20 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.

- * **Mack L. Nash**, age 24, of Omaha, is charged with being a felon in possession of a firearm on or about January 12, 2010. Nash was convicted in 2006 of felon in possession of a firearm. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, a 3 year term of supervised release, and a special assessment of \$100.
- * **Jose Perez-Aguilar**, also known as Jesus Acosta, age 26, is charged in a five-count indictment. Count I of the indictment charges Perez-Aguilar with aggravated identity theft by providing a false name and social security number to maintain employment in the United States beginning on or about November 30, 2007, and ending on or about January 27, 2010. The penalty includes a mandatory minimum sentence of imprisonment for 2 years consecutive to any other term of imprisonment imposed on the second count and third count of the indictment, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment. Count II of the indictment alleges that beginning on or about November 30, 2007, and ending on or about January 27, 2010, Perez-Aguilar used a social security card bearing the number XXX-XX-6733, and a Texas Identification Card, knowing them to have been forged, counterfeited, or procured by means of a false claim and statement and to have been otherwise procured by fraud and unlawfully obtained. The maximum penalty for this count includes imprisonment of 5 years, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment. Count III of the indictment alleges Perez-Aguilar falsely represented himself to be a citizen of the United States beginning on or about November 30, 2007, until on or about January 27, 2010.

The maximum penalty for this count includes imprisonment of 3 years, a \$250,000 fine, a 1 year term of supervised release, and a \$100 special assessment. Count IV of the indictment alleges that beginning on or about November 30, 2007, until on or about January 27, 2010, Perez-Aguilar provided a false Social Security Number, XXX-XX-6733, for the purpose of obtaining benefits. The maximum penalty for this count includes imprisonment of 5 years, a \$250,000 fine, a 3 year term of supervised release, and a \$100 special assessment. Count V of the indictment charges Perez-Aguilar with illegal reentry into the United States on or about January 27, 2010, after deportation or removal. The maximum possible penalty if convicted includes imprisonment of 2 years, a \$250,000 fine, 1 year of supervised release and a \$100 special assessment.

* **Arnulfo Ramos-Iniguez**, age 41, is charged with illegal reentry into the United States on or about January 11, 2010, after being deported following conviction for an aggravated felony. The maximum possible penalty if convicted, includes imprisonment of 20 years, a fine of \$250,000, followed by 3 years of supervised release, and a \$100 special assessment.

* **Charles Richardson**, age 41, of Omaha, is charged with being a felon in possession of a firearm on or about October 16, 2009. Richardson was convicted in 1992 of possession of crack cocaine and in 1993 of distribution of crack cocaine. The maximum penalty for this count includes imprisonment of 10 years, a fine of \$250,000, a 3 year term of supervised release, and a special assessment of \$100.

* **Linda Swain-Armstrong**, age 60, of Omaha, is charged in a six-count indictment. Count I alleges that on or before October 7, 2004, Swain-Armstrong filed a false United

States Corporate Income Tax Return for Swain Construction, Inc., for fiscal year March 1, 2002, through February 28, 2003 by reporting gross receipts to be \$6,821,850.00, when in fact the gross receipts were determined to be approximately \$7,008,562.09. The maximum possible penalty includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count II of the indictment alleges that on or before May 15, 2004, Swain-Armstrong filed a false United States Corporate Income Tax Return for Swain Construction, Inc., for fiscal year March 1, 2003, through February 29, 2004 by reporting gross receipts to be \$8,318,733.00, when in fact the gross receipts were determined to be approximately \$8,545,256.45. The maximum possible penalty includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count III of the indictment alleges that on or before May 22, 2006, Swain-Armstrong filed a false United States Corporate Income Tax Return for Swain Construction, Inc., for fiscal year March 1, 2004, through February 28, 2005 by reporting gross receipts to be \$6,230,009.00, when in fact the gross receipts were determined to be approximately \$6,397,733.61. The maximum possible penalty includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count IV of the indictment alleges that on or before May 4, 2004, Swain-Armstrong filed a false Individual Income Tax Return for calendar year 2003 by reporting non-passive income from A & S Concrete Recycling, Inc., to be \$6,866.00, when in fact the non-passive income was determined to be approximately \$14,323.59. The maximum possible penalty includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment. Count V of the indictment alleges that on or

before May 22, 2006, Swain-Armstrong filed a false Individual Income Tax Return for calendar year 2004 by reporting non-passive income from A & S Concrete Recycling, Inc., to be \$5,645.00, when in fact the non-passive income was determined to be approximately \$77,529.37. The maximum possible penalty includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

Count VI of the indictment alleges that on or before May 23, 2006, Swain-Armstrong filed a false Individual Income Tax Return for calendar year 2005 by reporting non-passive income from A & S Concrete Recycling, Inc., to be \$2,551.00, when in fact the non-passive income was determined to be approximately \$21,203.40. The maximum possible penalty includes imprisonment of 3 years, a \$250,000 fine, 1 year of supervised release, and a \$100 special assessment.

- * **Derrick D. West-Jones**, also known as Derrick Jones, age 28, of Omaha, is charged in a four count indictment. Count I alleges that beginning from an unknown date but at least as early as October 18, 2009, and continuing through January 13, 2010, the defendant conspired with others to distribute and possess with intent to distribute 5 grams or more of a mixture or substance containing a detectable amount of crack cocaine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count II alleges that on or about January 12, 2010, the defendant distributed a mixture or substance containing a detectable amount of crack cocaine. The maximum possible penalty includes imprisonment of up to 20 years, a \$1 million fine, a 3 year term of supervised release and a \$100 special assessment. Count III alleges that on or about

January 13, 2010, the defendant possessed with intent to distribute 5 grams or more of a mixture or substance containing a detectable amount of crack cocaine. The maximum possible penalty includes imprisonment of not less than 5 years and up to 40 years, a \$2 million fine, a 4 year term of supervised release and a \$100 special assessment. Count IV alleges that on or about January 13, 2010, the defendant possessed a Colt Detective .38 Special revolver, after having been previously convicted of a felony. The maximum possible penalty includes imprisonment for 10 years, a fine of \$250,000 fine, a 3 year term of supervised release and a \$100 special assessment.